CHARTER

OF

INCORPORATION

OF THE

LONDON-HOSPITAL.

[1749.]

SURGEON-GEN'LS OFFICE
LIBRARY

CHARTER

OF THE

LONDON-HOSPITAL.

GEORGE the Second, by the Grace of GOD, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. To All to whom theſe Preſents ſhall come, Greeting.

Whereas Our Right Truſty, and Right entirely beloved Couſin and Counſellor *William* Duke of *Devonſhire*, Our Right Truſty and Right well beloved Couſins, *George* Earl of *Macclesfield*, and *Richard* Earl *Tylney*, Our Truſty and well beloved *John Gore*, and *James Godin*, Eſqrs. *John Ellicott*, Gent. *John Raymond*,

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mond, Thomas Boehm, Richard Chiſwell, Peter Ducane, Peter Muilman, Daniel Booth, Robert Groſvenor, John Dupre, William Myre, Thomas Vigne, Eſqrs. *Iſaac Hunter*, Gent. *David Jefferyes, Richard Warner*, Eſqrs. *John Buxton, Henry Norris, Henry Unwin*, Gent. *James Coningham, George Garrett, Richard Coope, John Leapidge, Alexander Mackrabie, John De Kewer, John Dorien, Thomas Preſton, Peter Le Keux*, Eſqrs. and *Chriſtopher Phillipſon*, Gent. on Behalf of themſelves and ſeveral others, our Loyal Subjects, Members and Governors of a certain charitable Society, commonly called the *London Hoſpital*, have by their Petition humbly repreſented unto us,

Petition of the Duke of *Devonſhire*, &c.

That, The ſeveral Hoſpitals in our City of *London*, and Borough of *Southwark*, founded by our Royal Predeceſſors and others, not being ſufficient to admit and relieve all the Sick and Diſeaſed Poor, whoſe Number (eſpecially in the Eaſtern Suburbs of our ſaid City of *London*) is greatly increaſed; ſeveral of our faithful Subjects, deeply affected with the Diſtreſſes of their Fellow-Creatures, and deſirous (as much as in them lay) to relieve ſome, at leaſt, from periſhing, for want of proper Care and Aſſiſtance, during ſuch their Viſitation, did, on the Third Day of *November* 1740, form themſelves into a Society, now commonly called, *The LONDON HOSPITAL*, (of which the Petitioners are Members and Governors) who, as well by voluntary Contributions among themſelves, as by the charitable

ritable Donations of others, have been enabled (with God's Bleſſing on their Endeavours) to relieve above 118,700 miſerable Objects, (moſt of them Artificers, Manufacturers, or Mariners in the Merchants Service) labouring under malignant and painful Diſeaſes, and a Variety of fatal Accidents, and who being reſtored to Health and Induſtry, have benefited not only their indigent Families, but even the Publick by their Labour and Service:

That, Encouraged by ſo ſucceſsful a Beginning, and in order to extend and perpetuate the ſalutary Influence of ſo benevolent a Deſign, they have lately compleated the main Body of a large and commodious new Hoſpital for the Reception and Relief of a much larger Number of Patients, upon a Piece of Ground in the Pariſh of *St. Mary, Whitechapel*, in our County of *Middleſex*, fronting the Highway there commonly called *Mile-End* Road:

That They, for want of being a Body Corporate, labour under great Difficulties and Inconveniencies, in reſpect to all Leaſes, Conveyances, and Contracts, neceſſary to be taken and entered into on account of the ſaid Charity, and, as they are adviſed, may be put to great Difficulties and Expence in recovering Legacies and Donations given for the Support thereof, if any ſuch ſhould happen to be conteſted: They have therefore humbly prayed, that WE, out of our Princely Goodneſs and Compaſſion, would be graciouſly pleaſed to favour the ſaid charitable

Deſign,

Deſign, by granting unto them our Letters Patent under the Great Seal of our Kingdom of *Great-Britain*, for incorporating them into a Body Politic and Corporate, with ſuch Powers, Authorities, and Privileges, to them and their Succeſſors, as were contained in the Schedule of Heads thereunto annexed, or in ſuch other manner as to Us ſhould ſeem meet:

We Therefore, being graciouſly pleaſed to encourage ſo laudable and charitable an Undertaking, are graciouſly pleaſed to condeſcend to the Petitioners Requeſt. Now know ye, That WE, of our eſpecial Grace, certain Knowledge, and meer Motion, Have granted, conſtituted, declared, and appointed, and by theſe Preſents for Us, our Heirs, and Succeſſors, Do grant, conſtitute, declare, and appoint, the ſaid *William* Duke of *Devonſhire*, *George* Earl of *Macclesfield*, *Richard* Earl *Tylney*, *John Gore*, *James Godin*, *John Ellicot*, *John Raymond*, *Thomas Boehm*, *Richard Chiſwell*, *Peter Ducane*, *Peter Muilman*, *Daniel Booth*, *Robert Groſvenor*, *John Dupre*, *William Myre*, *Thomas Vigne*, *Iſaac Hunter*, *David Jefferyes*, *Richard Warner*, *John Buxton*, *Henry Norris*, *Henry Unwin*, *James Coningham*, *George Garrett*, *Richard Coope*, *John Leapidge*, *Alexander Mackrabie*, *John De Kewer*, *John Dorien*, *Thomas Preſton*, *Peter Le Keux*, and *Chriſtopher Phillipſon*, and all and every Perſon and Perſons, who at the Time of making and ſealing of theſe our Letters Patent, are reputed Governors for Life of the Society commonly

Petitioners and other Governors, made a Body Corporate.

monly called or known by the Name of *The LONDON HOSPITAL*, and ſuch others as now are reputed Annual Governors of the ſaid HOSPITAL, for ſo long, and during ſuch time, as they ſhall continue to pay an annual Sum of 5 *l.* 5 *s.* or upwards, towards the Charitable Purpoſes thereof; and likewiſe all ſuch others as ſhall, at any Time or Times hereafter, pay any ſuch annual Sum, towards the Purpoſes aforeſaid, for ſo long and during ſuch time as they ſhall continue to pay the ſame; and alſo, all ſuch others as ſhall pay, for the Purpoſes aforeſaid, the Sum of 31 *l.* 10 *s.* or upwards, in one entire Payment, or in different Payments to be made within the Space of any Twelve Calendar Months; as alſo all ſuch others as ſhall be elected in manner herein after mentioned, To be one Body Politic and Corporate in Deed and in Law, by the Name of *The* GOVERNORS of the LONDON HOSPITAL, and them by the Name of the GOVERNORS of the LONDON-HOSPITAL, We do, for the Purpoſes aforeſaid, really and fully, for Us, our Heirs and Succeſſors, make, erect, create, ordain, conſtitute, eſtabliſh, confirm, and declare by theſe Preſents, to be one Body Politic and Corporate, in Deed and in Name; and that they and their Succeſſors, by that Name, ſhall and may have perpetual Succeſſion.

Name of Incorporation.

And, That They and their Succeſſors by the Name aforeſaid, ſhall and may for ever hereafter be Perſons able and capable in the Law, and

Power to purchaſe Lands, to 4000 *l. per Annum.*

may

may have Power, notwithſtanding the Statutes of Mortmain, to purchaſe, have, take, hold, receive and enjoy, to them and their Succeſſors, Manors, Meſſuages, Lands, Rents, Tenements, Annuities and Hereditaments, of what nature or kind ſoever, in Fee, and in Perpetuity, or for Terms of Lives or Years, not exceeding the yearly Value of £ 4000 in all Iſſues, beyond Repriſes, ſo far, as they are not reſtrained by Law, and all manner of Goods, Chattels, and Things whatſoever, of what Nature or Value ſoever, for the better Support and Relief of the Poor under their Care. And alſo, to ſell, grant, demiſe, exchange, and diſpoſe of any of the ſame Manors, Meſſuages, Lands, Rents, Tenements, and Hereditaments, whereof or wherein they ſhall have any Eſtate or Intereſt, as aforeſaid. And We do hereby, for Us, our Heirs and Succeſſors, give and grant our eſpecial Licence, full Power, and lawful and abſolute Authority, to any Perſon or Perſons, Bodies Politic or Corporate, their Heirs and Succeſſors, reſpectively, to give, grant, ſell, alien, aſſign, deviſe, bequeath, or diſpoſe of in Mortmain, in Perpetuity or otherwiſe, to, or to the Uſe and Benefit of, or in truſt for, the Governors of the London-Hospital, and their Succeſſors, any Manors, Meſſuages, Lands, Tenements, Rents, Hereditaments, Annuities, Sum and Sums of Money, Goods, and Chattels whatſoever, not exceeding the yearly Value of £ 4000, above all Charges and Repriſes for the Charitable Purpoſes above-

men-

mentioned, in any manner not repugnant to or made void by the Statute paſſed in the Ninth Year of Our Reign, entituled, *An Act to Reſtrain the Diſpoſitions of Lands, whereby the ſame become unalienable.*

And That the ſaid Governors and their Succeſſors, by the Name aforeſaid, ſhall and may be capable to ſue and be ſued, plead and be impleaded, anſwer and be anſwered unto, defend and be defended, in whatſoever Courts and Places, and before any Judges, or Juſtices, or Officers of Us, our Heirs and Succeſſors, in all and ſingular Actions, Pleas, Suits, Plaints, Matters and Demands, of what Kind or Quality ſoever they ſhall be; and to act and do in all Matters and Things relating to themſelves in as ample Manner and Form, and as fully and amply as any of our Subjects of this our Realm of *Great-Britain* lawfully may or can act or do, ſue or be ſued, plead or be impleaded, anſwer or be anſwered unto, defend or be defended. Power to ſue, &c.

And That the ſaid Body Politic and their Succeſſors ſhall and may for ever hereafter have and uſe a common Seal for the Buſineſs and Affairs of the ſaid Corporation, and that it ſhall and may be lawful to and for the ſaid Corporation and their Succeſſors the ſame Seal from time to time at their Will and Pleaſure to break, change, alter, or make new, as to them ſhall ſeem expedient. Common Seal.

And For the better Execution of the purpoſes aforeſaid, and the more regular Government of the ſaid Corporation, We do declare and grant, that To have one Preſident, two or more Vice-Preſidents, and one Treaſurer.

that the ſaid Corporation and their Succeſſors ſhall for ever have one Preſident, two or more Vice-Preſidents, and one Treaſurer.

First Preſident, Vice-Preſidents, and Treaſurer.

And That the ſaid *William* Duke of *Devonſhire* be the firſt and preſent Preſident; that the ſaid *Richard* Earl *Tylney* in our Kingdom of *Ireland*, and *John Gore*, be the two firſt and preſent Vice-Preſidents; and that the ſaid *James Godin* be the firſt and preſent Treaſurer of the ſaid Corporation; each of them reſpectively to continue in their ſeveral and reſpective Offices of Preſident, Vice-Preſidents and Treaſurer, until other fit Perſons ſhall be duly choſen in their reſpective rooms in manner herein after mentioned.

Quarterly General Courts to be on the firſt *Wedneſday* in *March*, *June*, *September*, and *December*.

And We Will, That the ſaid Preſident, Vice-Preſidents and Treaſurer, and the reſt of the Members or Governors of the ſaid Corporation, or as many of them the ſaid Preſident, Vice-Preſidents, Treaſurer, and Members or Governors as conveniently can, do meet and aſſemble together in the ſaid New Hoſpital on the firſt *Wedneſday* in the ſeveral Months of *March*, *June*, *September*, and *December*, in every Year for ever (which ſaid quarterly Meetings or Aſſemblies ſhall be called QUARTERLY GENERAL COURTS); and alſo on ſuch other Days as to the Preſident, or either of the Vice-Preſidents, or the Treaſurer of the ſaid Corporation for the Time being, ſhall ſeem meet; or as the major Part of any Committee of the ſaid Corporation to be hereafter appointed, or any 15 of the other Members or Governors thereof for the time being ſhall demand of the ſaid Preſident,

Other Courts when neceſſary or demanded.

Vice-

Vice-Preſidents and Treaſurer, or any of them, in Writing under their Hands reſpectively.

Quarterly Courts alone to diſpoſe of Common Seal, and make By-Laws.

And that the ſaid Quarterly General Courts, and no other, except in the Caſes herein after expreſly provided for, ſhall and may direct the Cuſtody and Application of the Common Seal of the ſaid Corporation; and have Power to make, conſtitute, ordain, and eſtabliſh ſuch and ſo many reaſonable By-Laws, Rules, Orders, and Ordinances from time to time as they ſhall think fit and uſeful for the good Government of the ſaid Corporation and Hoſpital, and of all the Officers, Servants and Patients thereof; and alſo all or any of the ſame By-Laws, Rules, Orders, and Ordinances at their pleaſure to repeal, annul or alter: Which ſeveral By-Laws, Rules, Orders, and Ordinances ſo to be made not being contrary or repugnant to the Laws and Statutes of this our Realm, ſhall be duly obſerved and kept.

By-Laws not binding, till confirmed by ſubſequent Court.

Provided nevertheleſs, and Our Will is, that no ſuch By-Law, Rule, Order, or Ordinance, ſo to be made by this Corporation, ſhall be binding or have any Force or Effect, until the ſame ſhall be agreed to and confirmed by the next ſucceeding General Court, whether Quarterly or Extraordinary: And that the ſame Method be obſerved in the altering or repealing any ſuch By-Laws, Rules, Orders, or Ordinances, after they ſhall have been ſo confirmed.

Preſident, Vice-Preſidents, and Treaſurer, to be annually Elected.

Our further Will is, That all ſucceeding Preſidents, Vice-Preſidents, and Treaſurers of the ſaid Corporation ſhall be annually elected and

at the Quarterly General Court in *December*.

and appointed out of the Members or Governors of the ſaid Corporation for the time being, at the ſaid Quarterly General Court to be holden on the firſt *Wedneſday* in the Month of *December*, to continue in their reſpective Offices until the firſt *Wedneſday* in the Month of *December* then next following, and until others ſhall be choſen and appointed in their reſpective rooms.

In what Caſes they may be Elected at other Times.

Provided always, and Our further Will is, That in all Caſes of Vacancy by the Death or Reſignation of any of the ſaid Officers, or where ſuch Quarterly General Courts ſhall by any inevitable Accidents be prevented from being held on the ſaid firſt *Wedneſday* in *December*, it ſhall and may be lawful to and for the ſaid Governors of the ſaid Corporation at any General Courts to be holden at any other Times (ſuch Vacancy, if any ſhall be, having been declared at ſome previous General Court) to elect and appoint ſuch Preſidents, Vice-Preſidents and Treaſurers reſpectively as the Caſe ſhall require, to continue in their reſpective Offices until the firſt *Wedneſday* in the Month of *December* then next following, and until others ſhall be choſen and appointed in their reſpective rooms.

Power to appoint Committees.

And We further Will, That it ſhall and may be lawful to and for the ſaid Governors of the ſaid Corporation and their Succeſſors, at any of the ſaid quarterly or extraordinary General Courts, to elect from amongſt the ſaid Members or Governors ſuch and ſo many Committees for tranſacting any particular Affairs and Buſineſſes of the ſaid Cor-

Corporation, and to be veſted with ſuch delegated Powers, and limited by ſuch Inſtructions, as to the ſaid General Courts ſhall ſeem meet: And alſo to elect and appoint ſuch and ſo many Chaplains, Phyſicians, Surgeons, Apothecaries, and other Officers and Servants for the Buſineſs of the ſaid Corporation, for ſo long, and upon ſuch Conditions, as ſuch general Courts ſhall think proper: And alſo to elect and admit ſuch and ſo many Perſons to be Members or Governors of the ſaid Corporation, and upon ſuch Terms and Conditions, as ſuch General Courts ſhall think proper.

—Chaplain, Phyſician, &c.

—And to admit Members.

Provided always, That no Perſon or Perſons who ſhall be elected into the Place or Office of Chaplain, Phyſician, Surgeon, Apothecary or Secretary of the ſaid Corporation, or into any other inferior Offices thereunto belonging (except the preſent Chaplain and Phyſicians of the ſaid Society, they being now Governors thereof) ſhall at any time or times after ſuch his or their Election reſpectively, act as a Member or Governor of the ſaid Corporation at any Court or Committee, or otherwiſe, any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

No Officer, except the preſent Chaplain and Phyſicians, to act as Governors.

And Our further Will is, That all Elections of Preſidents, Vice-Preſidents, Treaſurers, or other Officers or Servants of the ſaid Corporation, ſhall be by Ballot, and be reſpectively determined in one Day betwen the Hours of Ten in the Forenoon and Four o'Clock in the Afternoon: And all other Affairs and Buſineſſes

Elections to be by Ballot, between Ten and Four o'Clock.

of

of the ſaid Corporation to be tranſacted at any General Court, and all Queſtions to ariſe thereupon, ſhall be decided by Vote, or (upon Demand of any two Members or Governors of the ſaid Corporation preſent at ſuch General Courts reſpectively) by Ballot to be immediately proceeded upon and compleated: And in all ſuch Caſes the Act or Opinion of the Majority of the Members or Governors ſo balloting or voting, ſhall be concluſive and binding upon all the reſt of the Members or Governors of the ſaid Corporation.

In what Caſes other Queſtions to be determined by Ballot.

Provided always, and Our further Will is, That in all Elections of Preſidents, Vice-Preſidents, Treaſurers, or other Officers or Servants of the ſaid Corporation, all Lords and Members of Parliament of our Kingdoms of *Great-Britain* and *Ireland*, or either of them, and all Women of what Rank or Degree ſoever, being Governors or Members of the ſaid Corporation, ſhall be permitted to vote or ballot by their reſpective Proxies (being alſo Governors or Members of the ſaid Corporation) whom they ſhall from time to time think fit to nominate and appoint for thoſe reſpective Purpoſes by Writing under their reſpective Hands: And that every ſuch Vote or Ballot by Proxy ſhall in every ſuch Election, but in no other Caſe whatſoever, be deemed and allowed to have the ſame Force and Effect as the Vote or Ballot of any Governor or Member preſent at ſuch Election.

Who in Caſes of Elections to Vote by Proxy.

And

And Our further Will is, That in every general Court of the ſaid Members or Governors, the Preſident for the time being, or in caſe of his Abſence, the Vice-Preſident firſt named in the Liſt of Vice-Preſidents for the time being then preſent, or in caſe of the Abſence of ſuch Preſident, and all the ſaid Vice-Preſidents, the Treaſurer for the time being, or if he ſhall alſo happen to be abſent, then ſuch one of the ſaid Members or Governors as the major Part of them then preſent ſhall chuſe or appoint for that purpoſe, ſhall take the Chair, and preſide: And that, in all Caſes of an Equality of Votes or Ballot, ſuch Preſident, Vice-Preſident, Treaſurer, or other Member or Governor of the ſaid Corporation, as for the time being ſhall be entituled to take the Chair and preſide at any ſuch general Court, ſhall have a double or caſting Vote or Ballot. Who to preſide.

Provided nevertheleſs, and Our Will is, That no General Court ſhall have Power to proceed upon or tranſact any Affair or Buſineſs of the ſaid Corporation, unleſs there ſhall be 15 or more of the Members or Governors thereof preſent at ſuch Court. Number of Governors neceſſary to conſtitute a Court.

And Our further Will and Pleaſure is, That the ſaid Corporation and their Succeſſors ſhall and may cauſe fair and juſt Accounts in Writing to be kept of all Receipts, Payments and Doings by them, their Officers and Agents reſpectively, in relation to the Premiſes; which ſhall be liable to the View and Inſpection of any Subſcriber Accounts to be audited 31 *Dec.* or within forty Days.

ſcriber or Subſcribers, Benefactor or Benefactors upon Occaſion; which ſaid Accounts ſhall on the 31ſt of *December* in every Year, or within forty Days after, be examined, audited, adjuſted and ſubſcribed by the Members preſent at ſuch Meeting, or the major Part of them.

Charter to be beneficially conſtrued.

And laſtly, We do by theſe Preſents, for Us, our Heirs and Succeſſors, grant unto the ſaid Corporation hereby eſtabliſhed, and their Succeſſors, that theſe our Letters Patent, or the Inrollment or Exemplification thereof, ſhall and may be in and by all Things good, firm, valid, ſufficient and effectual in the Law according to the true Intent and Meaning thereof, and ſhall be taken, conſtrued and adjudged in the moſt favourable and beneficial Senſe for the beſt Advantage of the ſaid Corporation and their Succeſſors, as well in all our Courts of Record as elſewhere, by all and ſingular Judges, Juſtices, Officers, Miniſters, and other Subjects whatſoever of Us, our Heirs and Succeſſors; any Non-recital, Miſ-recital, or any other Omiſſion, Imperfection, Defect, Matter, Cauſe, or Thing whatſoever to the contrary thereof in any wiſe notwithſtanding, without Fine in our Hanaper, *&c.*

In Witneſs whereof, We have cauſed theſe Our Letters to be made Patent, Witneſs Ourſelf at Weſtminſter *the Ninth Day of* December, *in the 32d Year of our Reign.*

By Writ of Privy Seal,

COCKS.